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Eighth report of the Secretary-General on the United Nations Operation in Burundi

I. Introduction

1. By its resolution 1692 (2006) of 30 June 2006, the Security Council extended the mandate of the United Nations Operation in Burundi (ONUB) until 31 December 2006. At the same time, it welcomed my intention to establish, following the conclusion of the mission's mandate, the United Nations Integrated Office in Burundi (BINUB) on 1 January 2007, as recommended in my seventh report, dated 21 June 2006 (S/2006/429). In an addendum to that report (S/2006/429/Add.1), I outlined the proposed structure, tasking and requisite resources for BINUB. The present report covers major developments since my seventh report, including an update on the drawdown of ONUB and the establishment of BINUB. It describes major developments up to 20 October.

II. Comprehensive ceasefire agreement with Palipehutu-Forces nationales de libération and major developments

2. The signing on 7 September of a comprehensive ceasefire agreement by the Government and the last armed group, Palipehutu-Forces nationales de libération (FNL), marked a significant milestone in the peace process. It contributed to an overall improvement in the security situation and appeared to spur refugee returns. At the same time, the reporting period witnessed continuing, and even increasing, tensions between the Government and some political parties, the media and civil society, including allegations of a coup plot, associated arrests and accusations by opposition parties of violations of the Constitution by the Government. Serious human rights abuses by the national security elements also continued to be reported prior to the signing of the agreement. At the same time, steps have been taken to prosecute those security service personnel responsible for such abuses. The completion of the Poverty Reduction Strategy Paper was an important step towards addressing the serious socio-economic challenges in Burundi.

3. Following the signing of the Agreement of Principles towards Lasting Peace, Security and Stability in Burundi, on 18 June, the Regional Peace Initiative for Burundi and the South African Facilitation, together with the African Union and the United Nations, continued to support the negotiations between the Government and FNL.

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4. On 7 September, at a summit of the Regional Peace Initiative for Burundi in Dar es Salaam, a comprehensive ceasefire agreement was endorsed by regional leaders and signed by President Pierre Nkurunziza, on behalf of the Government of Burundi, and by Agathon Rwasa, on behalf of FNL. The ceasefire, which entered into force on 10 September, has generally been respected by both parties.

5. The agreement provides for a cessation of all hostilities, as well as the integration of FNL combatants into the national security forces or their disarmament, demobilization and reintegration. Implementation of the agreement is to be coordinated and verified by a joint verification and monitoring mechanism and subsidiary bodies comprising representatives from the Government of Burundi, FNL, the African Union and the United Nations, with the Regional Peace Initiative for Burundi as guarantor. The agreement also provides for the deployment of an African Union special task force to provide protection for FNL leaders, as well as FNL combatants, while moving to designated assembly areas during the disarmament, demobilization and reintegration process. In addition to the expected participation of the United Nations in the monitoring mechanism and subsidiary bodies, the agreement also foresees ONUB providing security at the assembly areas for FNL combatants, to be identified by the parties.

6. A number of issues were not addressed in the agreement, including the possible participation of FNL members in the national institutions, as well as modalities for the integration of FNL elements into the security forces. In this regard, the Facilitation has established an office in Bujumbura to assist with implementation of the agreement and to help address political issues arising from it.

7. The Facilitator, the regional technical team, the African Union and the United Nations have undertaken consultations on modalities for the implementation of the ceasefire agreement. While the Facilitation will continue to play the leading role in the implementation process, the United Nations, within its mandate and resources, and in collaboration with other partners, the region and the African Union, is also expected to assist the parties in implementing the agreement.

8. The start of the implementation of the comprehensive ceasefire agreement has seen some delays, but progress was achieved in the planning in support of the agreement. Under the auspices of the Facilitation, the technical regional team, along with representatives of the African Union and United Nations, met in Pretoria on 14 September to review the implementation process, including the establishment of the monitoring mechanisms established under the agreement and the deployment of the African Union special task force.

9. On 27 September, a team comprising members of the Facilitation and representatives from Uganda and the United Republic of Tanzania, accompanying six FNL members, arrived in Bujumbura to discuss the implementation process on the ground. The FNL team visited possible assembly areas and assessed security conditions in advance of the arrival of the FNL leadership. The team concluded its assessment on 1 October. On 28 September, the Government issued a communiqué in which it expressed its commitment to the comprehensive ceasefire agreement and reaffirmed its adherence to the provisions granting provisional immunity to FNL members.

10. On 11 October the Facilitation and the Government formally launched the joint verification and monitoring mechanism. Despite guarantees to the Facilitation, FNL

did not participate in that first meeting of the monitoring mechanism, citing the need for the Government to release their prisoners beforehand. On 12 October the President of FNL, Mr. Rwasa, addressed two letters to President Yoweri Museveni of Uganda in his capacity as the President of the Regional Peace Initiative for Burundi, accusing the Government of Burundi of violating the ceasefire agreement through alleged breaches of provisions granting provisional immunity to FNL members, as well as its continued detention of FNL members.

11. In the meantime, groups of FNL elements have begun to assemble of their own volition in the western provinces in anticipation of the disarmament, demobilization and reintegration process. The majority of the groups claim to be associated with the small FNL faction of Jean-Bosco Sindayigaya, which did not participate in formal negotiations with the Government. The Government and the Facilitation have expressed their commitment to address the issue.

12. The Government continued to use the former demobilization centre at Randa as a holding facility for alleged FNL elements who were either captured or surrendered, before the signing of the ceasefire agreement. As at 20 October, alleged former FNL combatants whose eligibility for demobilization remained to be determined were being held at the site. Despite efforts by ONUB, the United Nations Children's Fund (UNICEF) and national partners to reach agreement with the Government for the release of the 26 minors in Randa, they remain at the camp. Procedures for the verification and demobilization of all minors associated with FNL were prepared by national and international agencies and submitted to the Government through the Executive Secretariat of the National Commission for Demobilization, Reinsertion and Reintegration in June.

13. In a note verbale dated 28 September, the Government of Burundi requested ONUB support for the protection of assembly areas for FNL combatants, as stipulated in the comprehensive ceasefire agreement. The Government further requested, on 10 October, that the withdrawal of the ONUB Nepalese battalion be postponed for one month until early December to support the implementation of the agreement.

14. Following consultations between the Department of Peacekeeping Operations and the South African Facilitation on 12 October, the Facilitation addressed a request to the United Nations, dated 13 October, in which it requested an adjustment of the withdrawal of the ONUB military contingents until December to assist with some of the tasks of the African Union special task force until that force was deployed.

Other political developments

15. Internal political tensions heightened during the reporting period, particularly following the Government's allegations of a coup plot in August and the resignation of the Second Vice-President, Alice Nzomukunda, on 5 September. In connection with the alleged coup, eight individuals were arrested by national security services between 31 July and 3 August, including the former transitional Vice-President, Alphonse-Marie Kadege, and other political and military figures. Furthermore, on 21 August the former transitional President, Domitien Ndayizeye, was also arrested.

16. On 3 August the Minister of Information and the Minister of Interior and Public Security convened a meeting with diplomatic and United Nations representatives and the media at which they announced that an attempt to destabilize the Government had been foiled.

17. On 24 August, during an interview with a local radio station from his prison cell, one of the detainees stated that he had falsely confessed to participation in the alleged coup plot in response to threats against his family. This fuelled further speculation by the national media that the alleged coup plot could have been fabricated. The Government repeatedly denied such allegations, and on 16 September, President Nkurunziza announced publicly that there was irrefutable proof of the imprisoned detainees' involvement in the alleged coup attempt.

18. Confirmed reports that several of them had been tortured caused rising concern about the situation, both within Burundi and among international stakeholders. Many political parties, as well as several civil society groups and human rights organizations, denounced the arrests of the alleged coup plotters, their treatment and the decision by the Supreme Court to confirm their detention. On 6 October the Supreme Court ruled in favour of the release of the seven detainees on bail after rejecting the prosecution's request to extend their detention without filing formal charges. The Supreme Court's decision was overruled, however, by the Attorney-General and, as at 20 October, the seven detainees, including former President Ndayizeye, were still in custody.

19. In the meantime, Ms. Nzomukunda resigned her position as second Vice-President citing, among other issues, the Government's gross violations of human rights and lack of respect for the rule of law in the country. She was also critical of the role of the President of the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD) party, Hussein Rajabu. The subsequent confirmation of the new second Vice-President, Marina Barampama (CNDD-FDD), by the National Assembly sparked public debate, with the Front pour la démocratie au Burundi (FRODEBU), Union pour le progrès national (UPRONA) and CNDD (Nyangoma) parties boycotting the confirmation process and subsequently challenging the validity of the vote on the basis of the lack of the required quorum of members of Parliament at the session. FRODEBU and UPRONA have since challenged the legality of the appointment through the Constitutional Court.

20. Furthermore, FRODEBU recently instructed its members of Parliament to boycott any official functions chaired by second Vice-President Barampama. The party also temporarily suspended three of its members of Parliament, who took part in the special session at which her nomination was confirmed.

21. There was limited legislative output during the reporting period owing in part to a three-week boycott of the second parliamentary session. The boycott, led by FRODEBU, UPRONA and CNDD (Nyangoma) members of Parliament, was to protest the passage of a bill creating an anti-corruption mechanism, which they considered to be unconstitutional. On 16 August parliamentarians from those parties resumed their participation in the National Assembly, following a request by President Nkurunziza, who said he would submit the law to the Constitutional Court for its ruling. On 12 October members of Parliament from the FRODEBU, UPRONA and CNDD parties addressed a letter to President Nkurunziza to complain

about the irregularities in the National Assembly and to request that the Assembly's voting system be improved.

22. Both UPRONA and FRODEBU held consultations with their members in the light of recent political events. On 24 September UPRONA mandated its Executive Committee to decide, within a month, whether the party would continue to participate in the current Government.

23. On 13 September a cabinet shuffle was announced involving six Government ministers, including the Ministers of Finance, Planning, Transport, Commerce, Health and HIV/AIDS.

24. There were also some tensions at the local government level. During the reporting period, four communal administrators, from Buterere, Mutimbuzi, Mubimbi and Kabezi, were accused of mismanagement and embezzlement and were suspended by the Governor of Bujumbura Rurale. FRODEBU protested the suspensions, which the party claimed were politically motivated. Nevertheless, ONUB has verified that the dismissal process was undertaken in conformity with the communal law.

25. Relations between the Government and the media remained strained during the reporting period. The Government and CNDD-FDD officials were very critical of journalists who questioned Government actions. In a speech on 3 September, the CNDD-FDD party President accused the Burundian media and journalists, including a national ONUB staff member, of "divisiveness". ONUB called upon the Government and the media to demonstrate moderation in order to defuse tensions. On 21 September the National Council for Communications called on private radio stations to ensure "responsible reporting". However, serious tensions continued between the Government and private media, which have denounced what it viewed as the Government's harassment and intimidation of journalists.

26. In efforts to reduce political tensions, the Government held several meetings with religious leaders and political parties in September. On 21 September the Minister of Interior and Public Security met with political party representatives in the first official meeting between the Government and such representatives since the new Government took office in August 2005. It provided the parties with an opportunity to raise a wide range of issues, including complaints by FRODEBU and UPRONA that the ruling CNDD-FDD had failed to involve them in the political decision-making process. The First Vice-President, Martin Nduwimana, also convened meetings with journalists and religious leaders in an effort to improve relations.

Burundi Partners' Forum

27. The members of the Burundi Partners' Forum continued to exchange views on the situation in Burundi and facilitate dialogue with the Government. During the reporting period, seven meetings were held focusing principally on the negotiations between the Government and FNL and other issues related to the political situation, security and human rights issues, as well as the Peacebuilding Commission's consideration of Burundi.

Peacebuilding Commission

28. In July the Government, my acting Special Representative for Burundi, Nureldin Satti, and other stakeholders briefed the Peacebuilding Commission on the situation in Burundi. On 13 October the first Burundi country-specific meeting was held, during which three critical challenges for peacebuilding in Burundi were agreed upon, including promoting good governance, strengthening the rule of law and the security sector and ensuring community recovery. The meeting culminated in a declaration of Burundi's eligibility to benefit from the Peacebuilding Fund.

III. Security situation

29. Prior to the entry into force of the comprehensive ceasefire agreement, military activities by both FNL and the National Defence Force (FDN) increased and spread with reports of clashes in Bujumbura Rural, Bubanza and Cibitoké as well as in some other provinces. There were also reports of increased FNL recruitment, including of minors, and of criminality involving uniformed personnel. The overall security situation has started improving since the entry into force of the comprehensive ceasefire agreement. However, reports of criminal activities, allegedly carried out by FNL elements, continued.

30. Almost two dozen grenade attacks occurred in public areas, mainly in Bujumbura, and there was an upsurge in reported forced disappearances, including 25 individuals suspected of having links to FNL.

31. Although the ONUB military operations in border areas have been reduced in the light of the mission's ongoing drawdown, ONUB has continued its marine patrols on Lake Tanganyika. The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) also continued to monitor the Ruzizi border area.

32. During the reporting period, ONUB organized two training sessions for some 330 members of the national security forces who will reinforce ONUB security arrangements in Bujumbura as well as in the provinces as the force draws down. In this regard, joint ONUB-FDN escorts and patrols commenced in early September.

IV. Other progress and challenges to the peace process

Disarmament, demobilization and reintegration

33. The disarmament, demobilization and reintegration process continued to progress. In August the Executive Secretariat of the National Commission for Demobilization, Reinsertion and Reintegration demobilized 337 FDN personnel, on the basis of their age, in the first non-voluntary demobilization process. In September 717 handicapped FDN members were also demobilized, including 47 non-commissioned officers, 8 officers and 662 soldiers. As at 5 October, a total of 21,379 former combatants and soldiers had been demobilized, including 3,015 children and 494 women.

34. Since the launch of the reintegration programme one year ago, the Executive Secretariat of the National Commission for Demobilization, Reinsertion and

Reintegration has successfully placed 543 demobilized ex-combatants with employers and continues to identify other potential employers. A further 5,412 ex-combatants have benefited from targeted economic support, 3,300 of whom are now engaged in income generating activities. It is expected that over 8,000 will receive similar support in the coming months. At the same time, the 3,015 demobilized former child soldiers have received reintegration support, of whom 599 have returned to school and 896 are participating in vocational training.

35. The dismantling of the civilian militias was also completed during the reporting period, with 28,379 militias demobilized, including 18,709 *gardiens de la paix* and 9,670 *militants combatants*.

36. At the same time, limited progress was achieved in security sector reform, with the completion by the Ministry of National Defence and Veterans Affairs and the Ministry of Interior and Public Security of plans for the professionalization of FDN and the Burundian National Police (PNB) respectively. This is an important step towards aligning planning for support from BINUB with national security sector reform plans and priorities.

37. PNB also advanced preparations for the implementation of a personnel identification process, with support from the International Centre for Transitional Justice. This process, which is expected to be completed in 2007, should assist PNB in establishing transparent human resources management and control systems.

38. In the meantime, ONUB continued its training activities for PNB personnel. ONUB and PNB trainers jointly provided harmonization training for 257 police officers, and between July and September refresher courses were provided for 109 PNB investigators in association with the Belgian-based non-governmental organization *Réseau des citoyens network justice et démocratie*.

39. In addition, ONUB developed an airport security training course, adapted from the International Civil Aviation Organization training programme, for the Burundi Border Police Department. Training programmes on international security standards and the penitentiary system have also been developed by the United Nations for the Burundi Penitentiary Police Department; preparations for their implementation are under way.

40. ONUB also assisted the Ministry of Interior and Public Security in planning for the establishment of operation centres linking the various police components in order to provide swift and effective response to critical security situations and to manage police intervention on the ground. The United Nations is also assisting in mobilizing resources for the centres.

41. In collaboration with the United Nations Development Programme (UNDP), ONUB trained 41 FDN members in weapons control and management issues in July. In addition, ONUB and FDN conducted joint weapon-destruction operations, including the destruction of 1,958 inoperable weapons and 22,544 rounds of ammunition held by ONUB from disarmament, demobilization and reintegration operations as well as unserviceable FDN stocks. Additional weapon- and ammunition-destruction activities are being planned.

42. On 17 August President Nkurunziza announced the appointment of 17 members of the National Commission for Civilian Disarmament and on Small Arms Proliferation, including representatives of FDN, PNB, religious organizations, the

media and civil society. The Commission is expected to build on the technical work undertaken in support of the President's efforts to launch the civilian disarmament process.

Refugees and displaced persons

43. As at 1 October, the number of Burundian returnees arriving from the United Republic of Tanzania in 2006 was 25,901. A surge in returns in August and September accounted for about half of the repatriations in 2006. Factors that may have contributed to this increase included the entry into force of the comprehensive ceasefire agreement with FNL, the start of the school year and the planting season and the shift in the strategy of the Office of the United Nations High Commissioner for Refugees (UNHCR) from one of facilitation to one of promoting voluntary returns.

44. However, the current level of returns remains significantly lower than the repatriation target of 50,000 persons, which was projected by UNHCR for 2006. High levels of poverty, lack of infrastructure and continued fears regarding the country's stability continue to have an impact on the rate of voluntary returns. An estimated 380,000 Burundian refugees still remain in the United Republic of Tanzania.

45. Over 2,000 Burundians, without legal status in the United Republic of Tanzania, were deported by the Tanzanian authorities during the reporting period. UNHCR expressed concern to the Tanzanian authorities with regard to the human rights aspect of those removals. The Office for the Coordination of Humanitarian Affairs has coordinated the reception of the deportees in Burundi, which has generally proceeded smoothly, as a result of the Government's strong engagement and the generous contributions of partners, including the Norwegian Refugee Council, the International Rescue Committee, Catholic Relief Services and the Red Cross Society of Burundi.

46. At the same time, the number of internally displaced persons continued to decline, reaching the record low of 100,000 in October, compared to 117,000 in 2005.

Human rights issues

47. The human rights situation continued to be dominated by reports of serious abuses perpetrated by FNL as well as violations by military, police and intelligence service personnel. Most of these involved summary executions, forced disappearances, torture, ill-treatment in detention or arbitrary arrest and detention. FNL elements continued to commit abuses against civilians, including murder, rape and armed robbery. Following the signing of the comprehensive ceasefire agreement, instructions were issued to FDN and PNB personnel to cease their pursuit of FNL members and collaborators, which led to a significant reduction in reported human rights violations.

48. Additional steps were also taken to address the security forces' violations of human rights. In September, three security personnel, the head of the Muyinga branch of the intelligence service and two military officers, were arrested and

charged for their alleged participation in the disappearance and possible summary execution of some 30 suspected FNL collaborators detained between May and August. In another case, a civilian claiming to be in the pay of the national intelligence service and a PNB officer were arrested in August in connection with the death of four alleged FNL members.

49. At the same time, there has been no progress in the investigations into the alleged summary execution in July of 13 suspected FNL combatants in Bujumbura Rural, and the whereabouts of some of those arrested in connection with the Government's pursuit of FNL has not yet been established. At the same time, ONUB human rights officers were granted access to individuals in police detention. However, access to the holding cells of the national intelligence service and FDN installations continued to be denied.

50. Serious legal and human rights concerns were raised by the detention and treatment of the nine individuals accused of planning an alleged coup plot (see para. 16 above). Proper legal procedures were not followed in the arrests of six of the detainees.

51. On 22 August, two of the nine detainees accused of involvement in the alleged coup were released without charge, including an FDN officer who had publicly confessed to involvement in the alleged plot prior to his detention. On 21 September, the seven persons, who were still in detention, submitted a letter to the President of the Supreme Court noting that the order detaining them had expired, rendering their detention illegal.

52. At the instruction of the Attorney-General, investigations were initiated into allegations filed by the lawyers of three of the detainees, including by the lawyer of former Vice-President Kadege, claiming that they had been tortured by national intelligence service personnel while in detention. When interviewed by ONUB human rights officers, all three had visible signs of torture, consistent with their allegations. Vice-President Kadege informed ONUB human rights officers that on the evening of his arrest, he was suspended face down by his arms and legs and beaten for two hours and then dropped on the ground. After initially refusing, the Attorney-General allowed the three detainees to be examined and treated at a hospital on 16 August. In a meeting on 25 August with the head of the ONUB Human Rights Section and representative of the United Nations High Commissioner for Human Rights in Burundi, President Nkurunziza emphasized his position against the use of torture, and said that he had initiated investigations into the allegations of torture. Widespread threats to freedom of expression and opinion were also a major concern during the reporting period.

53. As indicated in paragraph 23 above, the media came under further attack by the Government following their increasingly critical reporting on allegations of Government corruption, the alleged coup plot and the arrests of political opponents. Several journalists, some of whom have since gone into hiding, reported intimidation and threats by security personnel.

54. In addition, several individuals, including three civil society members and a journalist, were arrested or remained in detention on defamation charges or for expressing negative opinions about the President or Government officials. As of 9 October, no evidence had been provided to support the charges against those detained.

55. During the reporting period, ONUB, in collaboration with the United Nations Children's Fund (UNICEF) and international and national non-governmental organizations, also continued to promote respect for the rights of children. Of particular concern was the high number of reported cases of sexual violence, most of which involved minors, including infants. The ongoing campaign by ONUB human rights officers against sexual violence has started to produce results. The victims received medical care in almost all cases reported, and there was an increase in the number of perpetrators of sexual violence arrested as a result of complaints filed by victims and their families.

56. ONUB also continued to conduct human rights monitoring and promotional activities in collaboration with national and international human rights partners. With the Government's cooperation, promotional and training activities were conducted with civil society, including journalists and trade union associations, and with police, intelligence and law enforcement personnel. In addition, human rights training-the-trainers courses were provided for national intelligence personnel. FDN officers also received training on international human rights and humanitarian law. On 31 August, President Nkurunziza visited one of the human rights courses organized by ONUB, during which he stressed the importance of human rights training in Burundi's post-conflict environment.

57. At the same time, the United Nations provided training to representatives of the Government and civil society on the preparation of reports to international human rights treaty bodies. ONUB also assisted in planning for the establishment of an independent national human rights commission. The Ministry of Solidarity, Human Rights and Gender is expected to commence drafting of the legal and operational framework of the commission in early 2007.

Transitional justice and justice reform

58. There has been limited progress towards the establishment of transitional justice mechanisms. In June, the Government responded to the 19 May letter from the United Nations Legal Counsel outlining key issues arising from the Organization's consultations on transitional justice mechanisms with the Government, in Bujumbura in March. However, the Government's response did not fully address several issues that required agreement in order to proceed with negotiations. In a letter dated 24 August, the Legal Counsel sought further clarification from the Government on key issues that would define the framework for the establishment of a truth and reconciliation commission and a special tribunal. Exchanges between the Government and the United Nations aimed at expediting the consultations process also took place in September and October.

59. In August, the Office of the United Nations High Commissioner for Human Rights organized a workshop for United Nations staff in Burundi led by international experts on issues related to the process of broad-based consultations, truth commissions and accountability. Similar workshops were expected to be held at the same time for both Government officials and civil society representatives. However, the Government decided that those workshops should not be held due to the sensitivity of transitional justice issues during the negotiations which were under way with FNL at that time.

60. In July, the Government presented to the public its justice sector reform policy and promulgated a decree providing for a sixfold increase in the salaries of judges. Notwithstanding financial incentives for the magistrates, the criminal justice sector continued to receive very little or no donor funding for reform or capacity-building.

Land issues

61. Land disputes continued to pose a major challenge to the justice sector and to national reconciliation and the consolidation of peace. On 31 August, President Nkurunziza inaugurated the work of the 23-member National Land Commission, which was established in May. The Commission will comprise four subcommissions: land, holdings, compensations and inventory of public lands. The large number of complicated regulatory mechanisms continues to make the resolution of land disputes difficult, owing to overlaps and contradictions between the traditional land tenure system governed by customary law, the 1986 Land Act, the Environmental Act and the Constitution, adopted by referendum in 2005. The finalization of the Poverty Reduction Strategy Paper, in which the land question is addressed, should be an important step towards the resolution of land disputes. At the same time, adequate international support for the Land Commission will be critical to ensure that it can operate effectively.

Humanitarian situation

62. Some 2 million tons of food are expected to be produced in the country in 2006, representing a slight reduction in production in comparison with 2005. The decrease is mainly due to limited access to fertilizers, adverse weather and crop diseases. The national food deficit for 2006 is estimated at 252,000 tons. The northern and eastern provinces affected by consecutive droughts remain the most vulnerable and some 238,300 households will have to be assisted with seeds for the planting season, which commenced in late September. Recent returnees from the United Republic of Tanzania are expected to be among the primary beneficiaries of this humanitarian assistance.

63. On 19 August, the United Nations Emergency Relief Coordinator approved the allocation of $2 million from the Central Emergency Response Fund to support underfunded priorities, including emergency agricultural assistance for the estimated 2,000 Burundians recently expelled from the United Republic of Tanzania, shelter for returnees, nutrition and response to epidemics. At the same time, it should be noted that the Government's 2006 emergency programme continues to lack effective coordination and implementation, despite the provision of some 60 per cent of the required $168 million.

Socio-economic development

64. Burundi's economic situation remained fragile despite the positive projections in the 2006 budget, which envisages a 3.5 per cent increase in Government revenues and a decrease in expenditures of approximately 0.7 per cent. A financial gap, initially projected at $24.6 million, has been bridged through a range of corrective measures, including increased donor support and a revision of expenditures.

65. The World Bank did not disburse the first $30 million instalment of its proposed grant for budget support to the Government as planned, owing to delays in the ratification of the grant agreement by Parliament. In order to release these funds, and following allegations of irregularities, the World Bank also requested the Government to recruit an international firm to audit the recent sale of the presidential plane. The recruitment of an international audit firm has yet to be completed, and as a result, the Government is likely to encounter cash flow constraints in October. A joint World Bank and International Monetary Fund (IMF) assessment mission will be undertaken in early October to assess the full Poverty Reduction Strategy Paper development process and to discuss with the Government some pending issues regarding direct budget support.

66. The Poverty Reduction Strategy Paper was further revised during the reporting period to strengthen its peace consolidation elements. The Government submitted it to IMF and the World Bank on 12 September for their review and endorsement, which should be completed towards the end of 2006. This will enable Burundi to reach the enhanced Highly Indebted Poor Countries (HIPC) completion point during the next 12 months and to benefit fully from the HIPC debt relief initiative. The Government is also preparing for a donors' round table, expected to take place early in 2007, after the approval of the Poverty Reduction Strategy Paper by IMF and the World Bank. The United Nations will continue to support the Government in ensuring the successful holding of the round table.

67. In July, Burundi acceded to the United States African Growth Opportunity Act. During the reporting period, bilateral missions to Burundi from Japan, Norway, Switzerland, Germany and the Netherlands also took place, demonstrating increased donor interest in the peace consolidation process in the country. Despite this positive development, several donors have expressed concern about the lack of focused dialogue between them and the Government, as well as the Government's incapacity to absorb available funds.

68. The Government postponed the beginning of the new school year to 25 September owing to the lack of adequate infrastructure and qualified personnel. It will be recalled that the introduction of free primary school education in 2005 led to the registration of 450,000 additional pupils during the 2005/06 school year. Of the 1,316,792 children enrolled in primary school during that school year, UNICEF provided 456,905 with school materials, some of which were transported with assistance from ONUB.

69. Other partners, including the United Nations Educational, Scientific and Cultural Organization and non-governmental organizations, have also reinforced their support to the education sector. For the 2006/07 school year, the Ministry of Education estimated that 1,660,000 pupils would enrol. In anticipation of the increased enrolment, UNICEF supported the training of 981 teachers in August. It will also provide every pupil with school materials. In addition to the 611 classrooms already rehabilitated or constructed, UNICEF will complete the construction of 706 classrooms and the rehabilitation of a further 960 for a minimum of 106,350 pupils. It will also provide classroom equipment and textbooks. Some bilateral donors will provide teachers with training material through a UNDP-managed trust fund.

70. Since the introduction earlier in the year of the Government's free health-care policy for children under five years of age and for birth deliveries in public

hospitals, the number of patients has exceeded existing capacity. According to UNICEF, Burundi requires some $4 million per year to successfully implement its proposed programme for the reduction of neonatal and maternal mortality.

71. In support of the Government's efforts, and with financial assistance of the European Commission Humanitarian Office, UNICEF is providing some 450 health centres and 40 public hospitals with the necessary medical equipment for Caesarean and normal birth deliveries. In collaboration with the Ministry of Public Health and non-governmental organizations, UNICEF is also providing essential medicines to health centres and public hospitals providing care to children under five. Based on a distribution plan carried out by the World Health Organization (WHO) in collaboration with the Ministry of Public Heath, supplies are distributed to every health centre with assistance from ONUB.

72. The Ministry of Public Health, with the assistance of UNICEF, WHO, the United Nations Population Fund and the World Food Programme, developed an emergency action plan to ensure continued support to health centres in the provinces to which refugees are expected to return.

Mines and unexploded ordnance

73. During the reporting period, the United Nations trained 115 primary schoolteachers on the utilization of standardized mine risk education tools, while the Swiss Foundation for Mine Action trained and equipped 29 national personnel in community liaison, paramedic care and mine clearance and ordnance disposal. In addition, 5,500 square metres of agricultural land were cleared in the southern provinces along the Tanzanian border and more than 1,200 explosive devices were destroyed. Clearance of landmines in the south and south-east of the country is expected to be completed by the end of 2006. In August, the United Nations transferred management of the national mine action programme to the Government.

V. Regional dimension

74. The Government continued efforts to enhance cooperation at the regional level. In support of the electoral process in the Democratic Republic of the Congo, the Government loaned 8,000 ballot boxes to the Congolese Independent Electoral Commission. Burundi also facilitated the transportation of some 15,000 Congolese voters living in Burundi to South Kivu to participate in the elections.

75. On 17 July, President Nkurunziza inaugurated the first Conference of the Great Lakes Diaspora in Bujumbura. The Conference was organized by Burundian, Rwandan and Congolese citizens living abroad who are interested in assisting their countries of origin, and was the first such initiative in the region.

76. The sharing of information and exchanges of visits between ONUB and MONUC continued. The ONUB and MONUC Pakistani battalions deployed on both sides of the Burundi-Democratic Republic of the Congo border continued to liaise on border security issues and the illicit movement of personnel and arms. Cooperation between the two missions also focused on supporting the elections in the Democratic Republic of the Congo.

VI. Drawdown of the United Nations Operation in Burundi and transitional planning

77. As at 20 October, the ONUB military strength in Burundi stood at 2,434, including 83 military observers and 55 staff officers. The withdrawal of the military components proceeded as scheduled with the departure of the remaining Ethiopian company and the Pakistani battalion in August and September, respectively. The repatriation of the South African maritime unit is to be completed in October, and was to be followed in November with the repatriation of the Thai engineering company, the Nepalese battalion and the Nepalese special forces company. However, as indicated in paragraph 14 above, the United Nations is currently studying the request from the South African Facilitation to postpone the repatriation of the ONUB military contingents so that they can assist with the tasks of the African Union Force, expected to be deployed by mid-November, in support of the ceasefire agreement. All ONUB contingents are still expected to depart from Burundi by the end of December.

78. As reported in the addendum to my seventh report (S/2006/429/Add.1), the United Nations and the Government jointly identified priority areas of support for the consolidation of peace within the framework of the United Nations common action plan for Burundi and on the basis of the Poverty Reduction Strategy Paper. These areas include (a) peace and democratic governance; (b) security sector reform and civilian disarmament; (c) human rights and justice; (d) public information and communications; and (e) reconstruction and socio-economic development. The United Nations, in collaboration with the Government, is revising the content and the time frame of the United Nations Development Assistance Framework to respond to national priorities and needs outlined in the Poverty Reduction Strategy Paper and the priority areas agreed upon in the common action plan.

79. Additionally, the United Nations agencies operating on the ground have extended their programme cycles by one year, until the end of 2008, to comply with the period covered by the United Nations common action plan and the revised Poverty Reduction Strategy Paper.

80. During the reporting period, the Department of Peacekeeping Operations continued to work closely with UNDP, the Office of the United Nations High Commissioner for Human Rights and other partners in the development of the staffing structure and required resources for BINUB, with a view to ensuring that the Office is operational by 1 January 2007.

VIII. Observations

81. Since the democratically elected Government of President Nkurunziza took office in August 2005, a number of important steps have been taken towards the consolidation of peace in Burundi. However, the overall situation remains fragile and key political, human rights and socio-economic challenges in the country need to be addressed with the necessary determination for the peace and reconciliation process to continue to make progress.

82. The signing of the comprehensive ceasefire agreement on 7 September, which formally brought an end to over a decade of violent conflict, may mark a turning

point for Burundi. The Government and FNL are to be commended for this important achievement. I would like to reiterate my particular appreciation to the Regional Peace Initiative for Burundi and the South African Facilitation for their tireless, generous efforts in support of the peace process.

83. The parties' overall compliance with the ceasefire since its entry into force on 10 September, the subsequent improvement in the security situation and the decrease in human rights violations are encouraging. The Government and FNL now need to ensure the full and expeditious implementation of the agreement and to continue to work closely in a positive spirit of cooperation towards addressing all outstanding issues. The primary responsibility for implementing the agreement lies with the parties. However, the continued close engagement of the South African Facilitation, the Regional Peace Initiative and other partners; assistance from donors; and the early deployment of the African Union Special Task Force will be essential to ensure that its implementation proceeds smoothly and without further delay. I am particularly grateful for the commitment of the South African Facilitation to maintain an office in Bujumbura to assist in addressing the outstanding issues.

84. The United Nations is prepared to assist in carrying out the tasks envisaged for it under the agreement, including through its participation in the joint verification and monitoring mechanism and its subsidiary bodies. As requested by the parties in the agreement, and in subsequent communications from the Government and the Facilitation, ONUB also stands ready to provide all assistance required, including security at the designated FNL combatant assembly areas, for the duration of its presence in Burundi until December, and within the remaining limited resources available. In the meantime, I concur with the Facilitation's request for a slight adjustment in the drawdown of the United Nations troops from the country within the mandated period. The necessary arrangements for such an adjustment in the withdrawal schedule are being considered and I intend to revert to the Security Council shortly on this matter.

85. At the same time, should there be further delays in the implementation timetable of the ceasefire agreement, it would be unlikely that the tasks envisaged for ONUB could be completed before the conclusion of the current mandate in December. The Facilitation, the parties, the Regional Peace Initiative, the African Union and the wider international community are therefore strongly encouraged to give early consideration to ways in which the requisite support could be provided beyond December to ensure the uninterrupted implementation of this very important agreement.

86. The cessation of armed conflict between the Government and FNL presents an additional opportunity for commencing a credible, comprehensive security sector reform programme. The security sector reform and the professionalization and decentralization of FDN and PNB will be essential to ensuring durable stability in the country. The Government needs to intensify efforts towards creating a more professional army and police operating under civilian authority and the rule of law. At the same time, FDN and PNB continue to face massive shortfalls in equipment, logistics, housing, transportation and training, particularly in the vital area of human rights. In this regard, the commencement by the Government of identification of sectoral priority areas for security sector reform is encouraging, as there is a need

for increased and well-coordinated support by Burundi's partners for implementing these reforms.

87. The completion of the disarmament and demobilization process and the effective reintegration of combatants, to ensure that they do not pose a threat to stability, also require continuing attention and support both nationally and internationally. Meanwhile, the circulation of weapons among civilians in the country remains a major problem. Effective progress in the Government's weapons collection programme will be critical in reducing the currently high crime rates and improving security nationwide.

88. The international community is very concerned by some recent political developments, including allegations of a coup plot and the subsequent arrests of several individuals. The United Nations does not condone any attempt to overthrow or destabilize any elected Government. Undermining the democratically elected institutions in Burundi would be unacceptable. At the same time, the Government should be strongly encouraged to ensure that the judicial investigations regarding this issue are carried out in accordance with due process, with transparency and full respect for human rights. Furthermore, the allegations of torture of some individuals detained on charges related to the alleged coup plot should be investigated and perpetrators brought to justice.

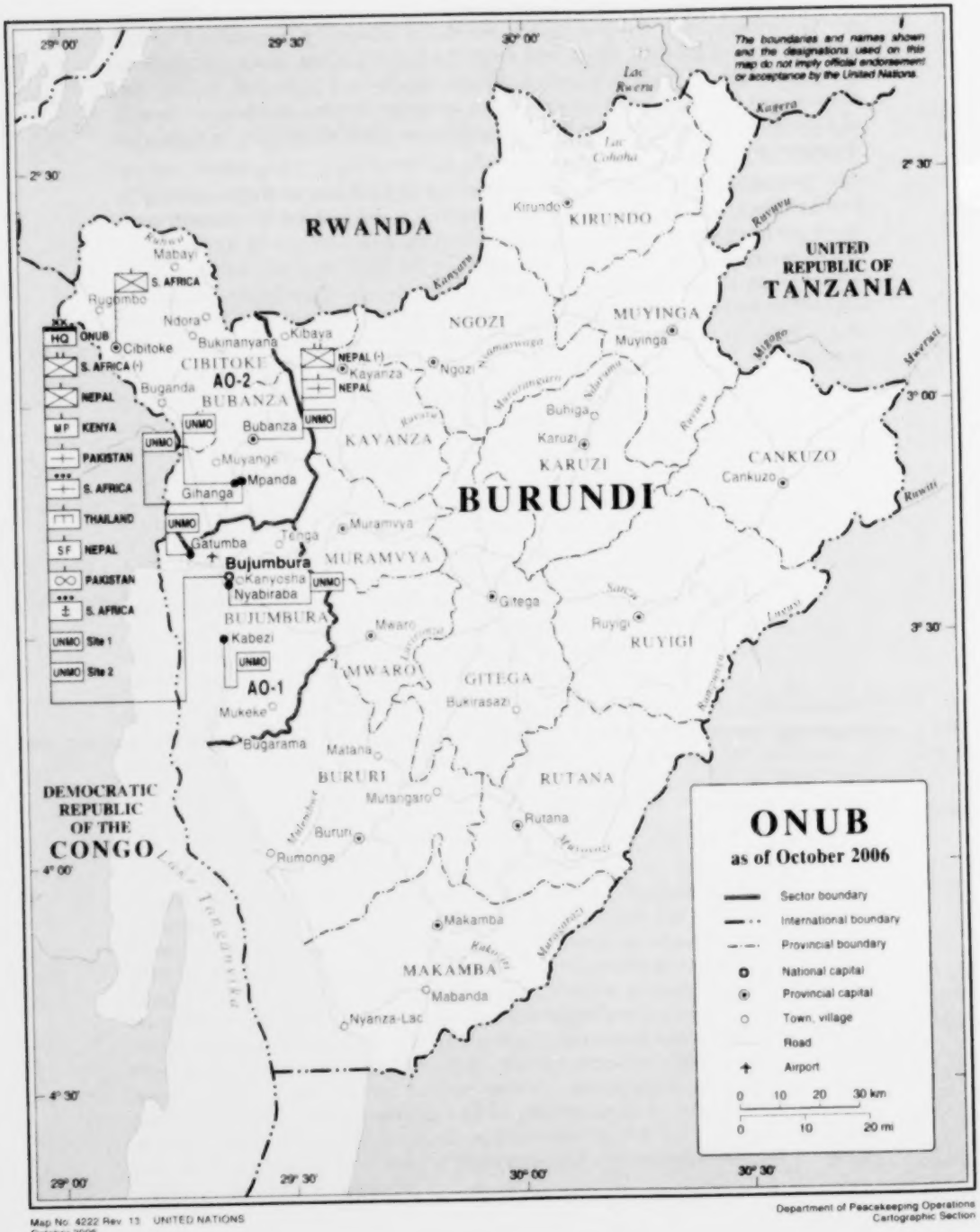
89. The friction between the Government, opposition parties, the media and civil society is also a matter of serious concern. I would encourage the Government to work in earnest towards strengthening the fragile democratic process, including through dialogue with the political parties, cooperation with civil society and respect for the rule of law and human rights, including freedom of speech and of the press, and the promotion of national reconciliation. In this regard, I am pleased that the Government has held several meetings with religious leaders and political parties over the past few weeks in an effort to defuse political tensions.

90. Indeed, national reconciliation and bringing an end to impunity are essential in laying a sound foundation for national recovery. It will be important to continue consultations between the Government and the United Nations with a view to obtaining an early agreement regarding the establishment of a Truth and Reconciliation Commission and Special Tribunal, which would enable the United Nations to provide support for these transitional justice mechanisms.

91. In the meantime, there is an urgent need for capacity-building to improve the national authorities' ability to function effectively and meet the expectations of the population for peace dividends. With an improved security situation, increased returns of refugees and internally displaced persons are expected, increasing the need for effective reintegration programmes and focused community-based recovery strategies. The completion of the Poverty Reduction Strategy Paper following a broad-based consultative process is a welcome step. Sustained and well-coordinated donor engagement will be vital in addressing humanitarian needs and supporting the Government's recovery, reconstruction and development efforts. I am therefore pleased by the initial progress made in defining the Government's relationship with the Peacebuilding Commission, as well as priority areas for peace consolidation in Burundi. The Peacebuilding Commission's active engagement in this immediate post-conflict phase will be vital in supporting the critical areas defined for peace consolidation in the country.

92. I am encouraged by the close collaboration between the United Nations and the Government over the past several months in advancing preparations for the establishment of BINUB, which will assist the country in the peace consolidation phases through an integrated United Nations approach. I hope that the Security Council will give early consideration to my recommendations on the establishment of BINUB, so that the necessary preparations for its establishment can be completed as soon as possible.

93. In conclusion, I would like to reaffirm my appreciation to and confidence in Nureldin Satti, who has been acting as my Special Representative for Burundi since April and has made a significant contribution to the peace process in Burundi since 2002. I would also like to express my admiration for the women and men of ONUB, who continue to work tirelessly for peace in Burundi. My appreciation also goes to the staff of the United Nations system, non-governmental organizations and bilateral and multilateral donors for their contributions to ensuring continued progress in the country.



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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-first year

Identical letters dated 25 October 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Over the past month, I have written to you on four separate occasions to convey the rapid and dangerous deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem, as a result of the incessant Israeli military assaults against the Palestinian civilian population. In this regard, since my most recent letter, of 16 October 2006, Israel, the occupying Power, has further demonstrated its utter disdain for international law and its determination to plunge the area further into conflict and violence.

Over the past week, the Israeli occupying forces have carried out a number of military assaults in the Occupied Palestinian Territory, particularly in the Gaza Strip, resulting in the death and injury of numerous innocent Palestinians. On 19 October, the occupying forces reoccupied the international Rafah crossing and Philadelphi route in Gaza and remained in the area for two days. Moreover, two Palestinians were killed by Israeli snipers during that same assault. In addition, I should also highlight that many disturbing statements have been made by key Israeli officials regarding their intention to vote on reoccupying the Philadelphi route.

On 23 October 2006, which was the first day of the Muslim holiday of Eid Al-Fitr in the Occupied Palestinian Territory, including East Jerusalem, the Israeli occupying forces carried out a brutal military incursion into Beit Hanoun, killing nine Palestinians, six of whom belonged to the same family. During the same attack, scores of innocent Palestinians were also injured, many seriously. The assault began when the occupying forces attacked the condolence tent of the Al-Shinbari family, killing five people instantly and injuring scores of others. The Israeli infantry then moved in and began shelling the area and clashing with the residents, resulting in the killing of four more. On the same day, in Tammoun village near Jenin, Israeli occupying forces also killed 25-year-old Mohamed Odeh.

It is irrefutable that such repeated Israeli assaults on Palestinian life, property and rights have regrettably become commonplace. However, what is most

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unfortunate and highly disheartening is the lack of response, even through modest statements, by the international community towards such deadly actions. During these especially harsh times, the Palestinian people look to the international community, including the United Nations, for a principled position against the ceaseless Israeli infringements upon their lives, rights, property and potential future.

The international community, in accordance with the rules and principles of international law, including international humanitarian law, has clear responsibilities in terms of ensuring the proper conduct of the occupying Power, including compliance with its legal obligations and commitments. Moreover, measures must be taken, not only to prevent the further escalation of this Israeli military aggression against the Palestinian civilian population, but also to bring it to an immediate halt. The Palestinian people under occupation remain helpless and without any protection from the brute force of the occupying Power.

The present letter is in follow-up to our previous 267 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 16 October 2006 (A/ES-10/360-S/2006/818), constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my profound regret to inform you that, since our last letter to you, at least 15 more Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 4,289. The names of the martyrs that have been identified are listed in the annex to the present letter.

I should be grateful if you would arrange to have the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) Riyad **Mansour**
Ambassador
Permanent Observer

Annex to the identical letters dated 25 October 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Tuesday, 17 October 2006 to Monday, 23 October 2006)

Tuesday, 17 October 2006

1. Zaher Ismail Al-Tamimi
2. Omar Abdel Ra'ouf Zakarneh (18)
3. Hani Kamoel

Wednesday, 18 October 2006

4. Ashraf Al-Mua'shar
5. Mohammad Abu Arar
6. Ghazi Dahroui

Saturday, 21 October 2006

7. Barakeh Al-Ammour

Sunday, 22 October 2006

8. Mohammad Abdel Fattah Abu Firash

Monday, 23 October 2006

9. Atta Al-Shinbari
10. Mohammad Al-Shinbari
11. Ibrahim Al-Shinbari
12. Kamal Adnan Al-Shinbari
13. Riyad Al-Shinbari
14. Khaled Al-Shinbari
15. Rami Moussa Hamdan

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* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 4,289